

treating osteochondral pathologies; Group 4 (claims 9-16 and 22-23), drawn to a surgical instrument; and Group 5 (claims 19-21), drawn to a kit for treating osteochondral pathologies.

### **Election of Invention**

Pursuant to 37 C.F.R. § 1.142, Applicant elects Group 1 without traverse and Group 4 in regard to Group 1. Claims 1-8 and 17-21 are withdrawn from further consideration by the Examiner under 37 C.F.R. § 1.142(b), as being drawn to a non-elected invention. Applicant, however, reserves the right pursuant to 37 C.F.R. § 1.141 to pursue claims to the non-elected invention in this application in the event a generic claim is allowed.

Applicant reserves the right pursuant to 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected invention during the pendency of the present application.

### **CONCLUSION**

Applicants believe that the application is in condition for examination. Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,  
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